UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,426	02/22/2002	Petri Koskelainen	60282.00294	7008

32294   7590   08/02/2007
SQUIRE, SANDERS & DEMPSEY L.L.P.
14TH FLOOR
8000 TOWERS CRESCENT
TYSONS CORNER, VA 22182

EXAMINER
TAYLOR, NICHOLAS R

ART UNIT	PAPER NUMBER
2141	

MAIL DATE	DELIVERY MODE
08/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

Advisory Action **Before the Filing of an Appeal Brief**	Application No. 10/079,426	Applicant(s) KOSKELAINEN ET AL.
	Examiner Nicholas R. Taylor	Art Unit 2141

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>18 July 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See attached..</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

JASON CARDONE
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

1.   Claims 60-93 were presented for examination and are rejected.

Response to Arguments

2.   Applicant's arguments filed July 18th, 2007, have been fully considered but they are deemed not persuasive.

3.   In the remarks, Applicant argued in substance that:

(A) Prior art of Cook does not teach deciding that a requested specified service is associated with a specific one of said service processing entities of a specific one of said at least one communication network. Cook's system may contain multiple service providers offering the same services, which would prevent unambiguously selecting a specific service.

As to point (A), Cook teaches a terminal that requests service that is satisfied by an analyzing entity providing communication with a specific service processing entity in a specific network (col. 3, lines 15-67). The terminal device requests a specific service and the analyzing entity fulfills this request by selecting a specific service processing entity of a specific network (col. 14, lines 44-50; see fig. 14, steps 1212, 1214, and 1218). Cook provides service access to a "plurality of communication networks" –a group that may vary in the composition of service providers (col. 3, lines 15-23).

Additionally, the requirement that each communication network may only provide

services that are unique to the specific network is not recited in the claimed limitations.

(B) Prior art of Cook does not teach a terminal requesting a specified service.

Rather, the access server generates a query to the terminal, the terminal provides a

reply, and the server provides a list of available services.

As to point (B), Cook provides the list of available services to the user terminal

based on the user's capabilities (col. 14, lines 40-44). Afterwards, the terminal requests

a specific service and thereafter routes communication messages to the destination

communication network (col. 14, lines 44-50).

(C) Prior art of Cook does not teach routing communication messages

associated with said terminal via said analyzing entity to said specific one of said

service processing entities within said specified communication network. Rather, the

user is simply connected to a specific service network.

As to point (C), the analyzing entity of Cook validates and performs security

services to authenticate users connected to the system (see access network 520 in col.

9, lines 29-33). Afterwards, the entity creates a "network shell" that manages the

user/terminal interaction with the service processing destinations on the plurality of

networks (col. 9, lines 30-40). More specifically, Cook's analyzing entity routes the

communication messages by waiting next packet from the user, followed by

"exchang[ing] packets between the network device and the selected service provider"

(col. 14, lines 40-50).

(D) Prior art of Cook does not teach each network being equipped with service

processing entities, but merely teaches a variety of networks such as a PSTN, the

internet, public data networks, and private data networks.

As to point (D), Cook teaches accessing communication networks that contain

service processing entities, where each is an "entity that provides communication

services to users who are accessing the service through an access provider" (col. 10,

lines 18-20).

Claim Rejections - 35 USC § 102

4.   The rejections under 35 U.S.C. 102(e) as applied to the claims, mailed March

19th, 2007, are unchanged and are recited in the previous FINAL office action.

Claim Rejections - 35 USC § 103

5.   The rejections under 35 U.S.C. 103(a) as applied to the claims, mailed March

19th, 2007, are unchanged and are recited in the previous FINAL office action.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-

3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm,

with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number

for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

NT 7-31-07

Nicholas Taylor
Examiner
Art Unit 2141